**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48‑43‑375 SO AS TO PROVIDE THAT A PERSON LICENSED TO DRILL FOR OIL OR GAS IN THE STATE’S TERRITORIAL WATERS OF THE ATLANTIC OCEAN AGGRESSIVELY SHALL USE ADVANCED TECHNOLOGY AND EQUIPMENT TO MINIMIZE THE POTENTIAL FOR LEAKS OR SPILLS, TO REQUIRE A LICENSEE PAY THE FULL COST OF CLEANING A SPILL OR LEAK FROM ITS DRILLING OPERATION, AND TO PROVIDE A PENALTY FOR A SPILL OR LEAK FROM A DRILLING FACILITY; TO AMEND SECTION 48‑43‑370, RELATING TO A PERMIT REQUIRED FOR DRILLING AN OIL OR GAS WELL, SO AS TO PROVIDE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL EXPEDITIOUSLY AND CONSCIENTIOUSLY SHALL REVIEW AN APPLICATION FOR AN OIL OR GAS WELL IN THE STATE’S TERRITORIAL WATERS OF THE ATLANTIC OCEAN, AND THAT AN APPLICATION FOR A PERMIT IS CONSIDERED GRANTED IF THE DEPARTMENT FAILS TO DENY THE PERMIT WITH A SHOWING OF GOOD CAUSE WITHIN NINETY DAYS OF THE APPLICATION BEING MADE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 2, Chapter 43, Title 48 of the 1976 Code is amended by adding:

“Section 48‑43‑375. A person licensed under this chapter to drill for oil or gas in the state’s territorial waters of the Atlantic Ocean:

(1) aggressively shall use the most advanced technology and equipment available to promote safety and minimize the potential for leaks or spills from its drilling operation;

(2) is liable for full payment of all expenses related to the clean up from an oil or gas spill from its drilling operation; and

(3) is subject to a penalty of between one thousand and ten thousand dollars and an order suspending its drilling operation imposed by the department for an oil or gas leak from its drilling operation.”

SECTION 2. Section 48‑43‑370 of the 1976 Code is amended to read:

“Section 48‑43‑370. (A) ~~The department shall require that all persons~~ A person who ~~desire~~ desires to drill an oil or gas ~~wells~~ well shall obtain from the department a permit for each ~~well proposed to be drilled prior to the commencement of any drilling operations~~ proposed well. ~~The~~ Drilling ~~of any~~ a well is ~~hereby~~ prohibited until ~~a permit is granted by~~ the department grants a permit.

(B) ~~No permit to drill a gas or oil well shall be granted~~ The department may not grant a permit to drill an oil or gas well:

(1) within the corporate limits of ~~any municipality,~~ a municipality unless the governing authority of the municipality ~~shall have first duly approved~~ approves the issuance of ~~such~~ the permit by resolution; or

(2) ~~(C) No permit to drill a gas or oil well~~ on ~~any~~ a beach ~~shall be granted by the department~~.

(C) The department conscientiously and expeditiously shall review an application for drilling an oil or gas well in this state’s territorial waters of the Atlantic Ocean. An application for a permit is considered granted within ninety days of the application being made if the department does not deny the application with a showing of good cause.”

SECTION 3. This act takes effect upon approval by the Governor.

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